

North Florida
Transportation Planning Organization

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Bylaws for the North Florida TPO

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Article I: Preamble

The following are the rules and procedures that shall guide the proper functioning of the North Florida Transportation Planning Organization (North Florida TPO), formerly known as the Metropolitan Planning Organization for the Jacksonville Urbanized Area in its oversight of the metropolitan planning process as defined in Section 23 Code of Federal Regulations (CFR), Part 450, Subpart C and Chapter 339, *Florida Statutes*.¹

The Rules and Procedures adopted by the Metropolitan Planning Organization for the Jacksonville Urbanized Area July 16, 1980 are revised upon adoption of these Rules and Procedures.

Article II: Creation

The North Florida Transportation Planning Organization (hereinafter referred to as the “North Florida TPO”) is created under the authority of Section 339, *Florida Statutes*, to encourage and promote transportation systems embracing various modes that maximize the mobility of people and goods within and through the urbanized area, together with applicable regulatory government agencies, transportation-related fuel consumption and air pollution.

The North Florida TPO was created and is operated under the provisions of an inter-local agreement entered into with the Florida Department of Transportation and the governmental entities designated by the Governor for membership in 1978 pursuant to Section 163.01, *Florida Statutes*.

Section 339.175 (1), *Florida Statutes*, provides that a metropolitan planning organization (TPO) shall be designated for each urbanized area of the state. Such designation shall be accomplished by agreement between the Governor and units of general-purpose local government representing 75 percent of the population of the urbanized area; however, the unit of general purpose local government that represents the central city or cities within the TPO jurisdiction, as defined by the United States Bureau of the Census, must be a party to the agreement.

No more than one TPO may be designated within an existing metropolitan planning area unless the Governor and the existing TPO determine that the size and complexity of the existing metropolitan planning area makes designating more than one TPO for the area appropriate.

Specific Authority: Chapter 339.175, *Florida Statutes* and Section 163.01, *Florida Statutes*.

Article III: Boundary Section 339.175 (1), *Florida Statutes* and 42 U.S.C. ss. 7401 et seq.

¹ The Policy Board voted to change the name to the First Coast MPO on May 11, 2000.

Article III: Boundary

The North Florida TPO boundaries are determined by agreement between the Governor and the North Florida TPO. The boundaries must include at least the metropolitan planning area, which is the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period, and may encompass the entire metropolitan statistical area or the consolidated statistical area.

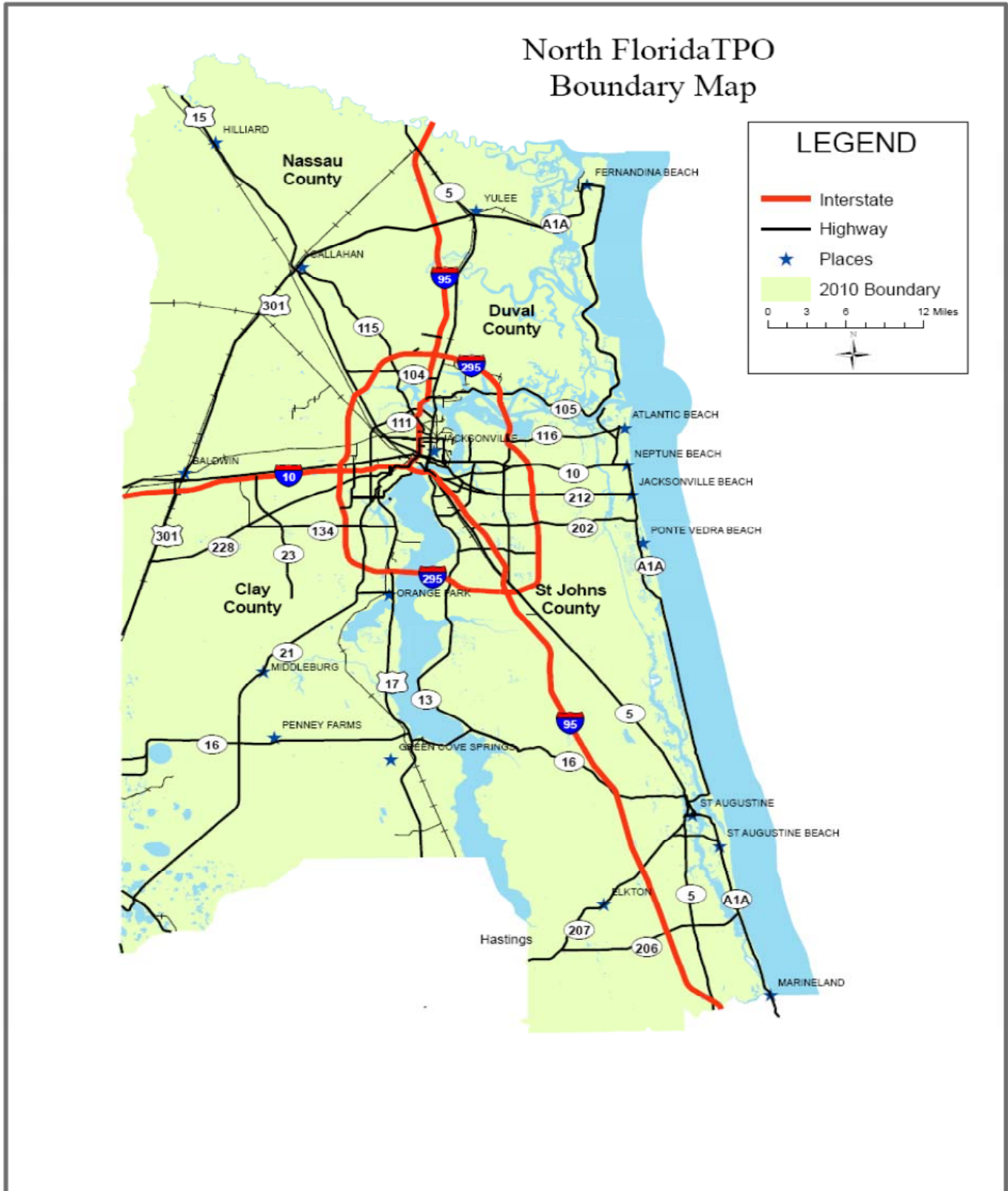
Section 339.175, *Florida Statutes* further specifies that an urbanized area designated as a non-attainment area for ozone or carbon monoxide under the Clean Air Act, 42 U.S.C. ss. 7401 et seq., the boundaries of the metropolitan area in existence as of the date Section 339.175 (1) (d), *Florida Statutes* was adopted shall be retained, except that the boundaries may be adjusted by agreement of the Governor and affected TPO in the manner described in Section 339.175 (1) (d), *Florida Statutes*.

The North Florida TPO shall reassess its boundaries at least once every 10 years, in conjunction with the decennial census as prepared by the United States Department of Commerce, Bureau of the Census.

Section 1: Current Boundary

The boundary adopted August 14, 2003 incorporates both the Jacksonville and St. Augustine Urbanized Areas as designated by the U.S. Bureau of the Census in May 2002 and includes all of Clay, Duval, Nassau and St. Johns Counties as illustrated on **Map 1**.

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Article IV: Voting Membership

Section 1: Voting Membership

The voting membership of the North Florida TPO shall consist of not less than five and not more than 19 members, the exact number to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general-purpose local government as required by federal rules and regulation. 23 U.S.C. provides the Governor the opportunity to provide TPO members who represent municipalities to alternate with representation from other municipalities within the metropolitan area that do not have members on the TPO. County commission members shall compose not less than one-third of the TPO membership, except for an TPO with more than 15 members located in a county with a five-member county commission or any TPO with 19 members located in a county with no more than six county commissioners, in which case county commission members may compose not less than one-third of the TPO membership, but all county commissioners must be members. All voting members must be elected officials of general-purpose governments, a statutorily authorized planning board, an official or an official of an agency that operates or administers a major mode of transportation. The County Commission shall compose not less than 20 percent of the TPO membership if an official of an agency that operates or administers a major mode of transportation has been appointed to the TPO.

Section 339.175 (2), *Florida Statutes* further specifies that in metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions that are not under the jurisdiction of a general purpose local government represented on the TPO, shall be provided membership on the TPO.

In addition, Section 339.175, *Florida Statutes*, Section 163.01, *Florida Statutes* designates the District Secretary of the Florida Department of Transportation as an ex officio member of the TPO.

Specific Authority: Section 339.175 (2), *Florida Statutes*, Section 163.01, *Florida Statutes*, Section 163.01(5) (c), *Florida Statutes*, Section 120.53(1), *Florida Statutes*.

Section 2: Alternate Members

Alternate members may be appointed and permitted to vote at meetings at which the regular members do not attend. An appointed alternate member must be an elected official representing the same governmental entity or area that the regular member serves. The governmental entity so designated shall appoint the appropriate number of members to the North Florida TPO from eligible officials. The City Council President shall designate the alternate members for the Jacksonville City Council. The Council President may designate one alternate member for each member designated or may designate one or more alternate members who may serve in place of any of the seven City Council members designated to serve on the North Florida TPO. The Chairman of the Clay and St. Johns County Commissions shall likewise select the alternate member (3) from among the membership of their respective Commissions. The Chairman of the Clay County Commission may choose to designate one County Commission member as the alternate for either of the two members designated to represent the Commission on the North Florida TPO. The City of Jacksonville Mayor shall designate an alternate from among the City Council membership, selecting a member who is not already on the North Florida TPO. The alternate for the Mayor of the Beaches

Communities shall be one of the other Mayors of the municipalities at the Beach. The alternate member for the Jacksonville Airport Authority, Jacksonville Port Authority and Jacksonville Transportation Authority shall be members of the appropriate board and appointed by the Board Chairman. The North Florida TPO Chairman must be notified in advance that an alternate member will attend a meeting on behalf of the member s/he represents.

Section 3: Membership Apportionment and Reapportionment

The Governor shall review the composition of the North Florida TPO membership at least every ten (10) years and reapportion it as necessary. Reapportionment and the boundary of the urbanized area will be reviewed in conjunction with the decennial census undertaken by the United States Bureau of the Census, and reapportion it as necessary to comply with Section 339.175 (2), *Florida Statutes*.

Section 4: Current Membership

North Florida TPO membership as approved October 9, 2003 is as follows:

Mayor, City of Jacksonville ²	1
Three members, Jacksonville City Council ³	3
Mayor of Atlantic Beach, Neptune Beach or Jacksonville Beach (rotate)	1
Two County Commissioners, Clay County	2
Mayor, St. Augustine	1
One County Commissioner, St. Johns County	1
Board Member, Jacksonville Aviation Authority	1
Board Member, Jacksonville Port Authority (Jaxport)	1
Board Member, Jacksonville Transportation Authority	1
Board Member, St. Augustine-St. Johns County Airport Authority	1
One County Commissioner, Nassau County	1
Board Member, Nassau County Ocean Highway and Port Authority	1
<i>Total</i>	15

Each member is entitled to one (1) vote with the exception of the Jacksonville Mayor and the three members of the Jacksonville City Council each of whom have a weighted

² The City of Jacksonville Mayor and an alternate serving in his/her place shall have a weighted vote of 2.

³ The three members of the Jacksonville City Council and an alternate serving in their place shall each have a weighted vote of 2.

vote of two. Under no circumstances will members with a weighted vote be permitted to separate their votes. Proxy votes and absentee ballots shall not be allowed.

The District II Secretary for the Florida Department of Transportation is a nonvoting adviser.

The highest ranking representative of the United States Navy in Northeast Florida or his/her designee and a representative from Baker and Putnam Counties are ex officio members.

Section 5: Membership Terms

Except for the member who represents the Cities of Atlantic Beach, Jacksonville Beach and Neptune Beach, members of the North Florida TPO shall serve four-year terms. By mutual agreement of the Mayors of Atlantic Beach, Jacksonville Beach and Neptune Beach, the member's term may be shortened. A member may be re-appointed for more than one additional four-year term.

Statutory Authority: Section 339.175 (3), *Florida Statutes*.

Section 6: Terminating Membership

The membership of a member who is a public official automatically terminates upon the member's leaving office for any reason or may be terminated by a majority vote of the total membership of a county or city governing entity represented by the member. The original appointing entity shall fill a vacancy.

Three consecutive absences in a 12-month period are considered cause to terminate membership. The North Florida TPO Board reserves the right to waive the attendance rule by vote upon written request by said member not in compliance.

Specific Authority: Section 339.175 (3) (b), *Florida Statutes*.

Section 7: Resigning Membership

A member wishing to resign prior to the end of his/her term shall submit a resignation letter to the North Florida TPO Chairman stating the effective date.

Section 8: Quorum of Voting Membership

A simple majority of voting members present shall constitute a quorum.

Section 9: Officers

Officers of the North Florida TPO are chairman, vice chairman and treasurer. These officers are members of the North Florida TPO duly elected by the body to serve a term of one year. Alternate members may not serve as officers of the North Florida TPO. The authority and duties of the North Florida TPO officers are as follows:

1. **Chairman:** The Chairman shall preside at all meetings of the TPO. S/he shall appoint all committee members and committee chairmen and shall sign, on behalf of the TPO, resolutions, contracts, deeds, certifications, vouchers and all other instruments whether relating to real or personal property or otherwise, and shall perform such other duties as, from time to time, may be assigned by the North Florida TPO. The Chairman shall also have the authority to call special meetings of the TPO or to cancel any regularly scheduled meeting.

2. **Vice Chairman:** The Vice Chairman shall serve as Chairman at TPO meetings in the Chair's absence. S/he shall have the further authority to call or cancel TPO meetings, either regular or special meetings, and assume the Chairman's duties.
3. **Treasurer:** The Treasurer shall chair the Finance Committee and oversee the finances of the TPO.
4. **Parliamentarian:** The Chairman may designate one member to serve as "parliamentarian." The parliamentarian shall consult **Roberts Rules of Order** when necessary to determine appropriate parliamentary procedure, a copy of which will be provided.
5. **Other Officers:** The North Florida TPO may from time to time elect such other additional officers, as it deems necessary, and prescribe their term, authorities and duties.

In the absence of the Chairman, Vice Chairman or Treasurer at a regular or special TPO meeting, a temporary chair shall be elected by majority vote at said meeting to serve as Chairman for this meeting alone.

Specific Authority: Section 163.01 *Florida Statutes*, Section 163.01(5) (c), *Florida Statutes*, Section 120.53(1), *Florida Statutes*.

Section 10: Electing Officers; Terms; Vacancies

1. Officers shall be elected at the December meeting by majority vote of the voting members present, and their terms become effective at the first meeting of the new calendar year.
2. Officers shall serve in such capacity no more than one consecutive full term/year except for the Chair and the vice chair who may be elected to serve two consecutive terms. The term of office shall be for one calendar year (January – December).
3. No officer shall serve consecutive terms in the same position, with the specific intent that the office of Chairman shall rotate among all the counties represented on the board.
4. All voting members are eligible to serve as board officers; however, a minimum of one year service on the board is a prerequisite for election as an officer is strongly encouraged.
5. There will be no nominating committee. All nominations shall be made from the floor at the December meeting.
6. The election of officers will take place in the following order:
 - a. The nomination process will begin by the current Chairman accepting nominations for the office of Chairman.
 - b. When nominations are complete, the Chairman will accept a motion to close the nominations.

- c. When one person is nominated, that nominee shall be automatically declared elected to the office.
 - d. When more than one person is nominated, election shall be by a secret ballot to be tabulated by staff and announced by the Chairman.
 - i. If one candidate receives more than 50 percent of the vote, s/he will be declared elected to the office.
 - ii. If a nominated candidate does not receive at least 50 percent of the vote, ballots will be distributed to determine the winner between the top two candidates.
7. Upon completing the election of Chairman, election for Vice Chairman, followed by the election for Treasurer, will take place in the manner described above.
 8. If a tie vote occurs for any elections described herein, the winner shall be determined by the flip of a coin.
 9. If the Chairman is unable to complete his/her term, the Vice Chairman will serve as Chairman until the next regular election. Vacancy of the Vice Chairman or Treasurer shall be filled by majority vote of the voting members present from the remaining North Florida TPO members for the term balance for said office.

Specific Authority: Section 163.01, *Florida Statutes*, Section 163.01(5) (c), *Florida Statutes*, Section 120.53(1), *Florida Statutes*.

Section 11: Establishing Committees

Each member may be appointed to one or more standing committee(s), responsible for a specific planning and coordination responsibility. The number and function of each committee shall be determined by the North Florida TPO; however, the number of members on any committee must be less than a quorum of the North Florida TPO. Any committee member shall serve at the pleasure of the Chairman.

In addition, the North Florida TPO shall appoint such additional committees as it is required to appoint by federal, state or local laws, rule and regulation, and the North Florida TPO may also appoint such additional committees as it deems necessary or advisable. The duties, composition and duration of such committees shall be required or as otherwise determined by the North Florida TPO, respectively. Required committees include the Technical Coordinating Committee (TCC), Citizens Advisory Committee (CAC) and the Duval County Transportation Disadvantaged Coordinating Board (TDCB).

Specific Authority: Section 163.01, *Florida Statutes*, Section 163.01(5) (c), *Florida Statutes*, Section 120.53(1), *Florida Statutes* and Section 427, *Florida Statutes*

Section 12: Standing Committees

At the February meeting the Chairman shall appoint voting members to serve on one or more of the following standing committees. Members of standing committees will serve a one-year term. The Chairman may create other committees as needed.

1. **Executive Committee**: This committee includes the Chairman, Vice Chairman and Treasurer. This committee shall be responsible to supervise and coordinate with the Executive Director.
2. **Finance Committee**: This committee is appointed by the North Florida TPO Chairman and chaired by the Treasurer. This committee is responsible to monitor the organization's finances and shall meet monthly or as needed.
3. **Legislative Committee**: This committee is appointed by the North Florida TPO Chairman and shall include the Chairman and/or the designee and alternate for the Florida Metropolitan Planning Organization Advisory Council (MPOAC) and the Association of Metropolitan Planning Organizations (AMPO). This committee is responsible to monitor the activities of the Florida Legislature and the United States Congress, drafting the annual legislative position of the North Florida TPO and apprising the Florida and Duval Delegations of these policies.
4. **Strategic Planning Committee**: This committee is appointed by the Chairman as needed and is responsible to prepare the annual strategic plan establishing the goals and priorities of the North Florida TPO.
5. **Bylaws Committee**: This committee is appointed by the Chairman to review the TPO Bylaws at least every two years on even numbered years and report their recommendations to the TPO.

Article V: Appointing Advisory Committees

The North Florida TPO reserves the right to approve the Bylaws of all advisory boards and committees.

Section 1: Technical Coordinating Committee

The North Florida TPO shall appoint a Technical Coordinating Committee (TCC) that includes planners; engineers; representatives of local aviation authorities, port authorities and public transit authorities; and other appropriate representatives of affected local governments. In addition to any other duties assigned to it by the North Florida TPO or by state or federal law, the Technical Coordinating Committee is responsible to identify projects contained in the Long Range Transportation Plan or Transportation Improvement Program which deserve to be classified as a school safety concern.

Appendix A includes the Bylaws of the Technical Coordinating Committee.

Section 2: Citizens Advisory Committee

The North Florida TPO shall appoint a Citizens Advisory Committee (CAC), the members of which serve at the pleasure of the North Florida TPO. The Citizens Advisory Committee must reflect a broad cross-section of local residents with an interest in developing an efficient, safe and cost-effective transportation system. The CAC membership must include representation of communities within the urbanized area, persons with disabilities, women, minorities and persons with low income.

Appendix B includes the Bylaws of the Citizens Advisory Committee.

Section 3: Duval County Transportation Disadvantaged Coordinating Board

The North Florida TPO shall appoint a Duval County Transportation Disadvantaged Coordinating Board of which the responsibilities and membership are outlined in Chapter 427, Florida Statutes and the adopted Bylaws of the Duval County Transportation Disadvantaged Coordinating Board.

The Bylaws and Grievance Procedures of the Duval County Transportation Disadvantaged Coordinating Board are included in **Appendix C**.

Section 4: Other Boards and Committees

The North Florida TPO has the authority to appoint other boards and committees as needed.

Section VI: Public Participation in North Florida TPO and Its Committee Meetings

Persons have the opportunity to address the Board or Committee during a scheduled public hearing, at all regularly scheduled business meetings and when otherwise invited by the Chairman. A time limit of three minutes will be allowed for presentation unless extended by the Chairman. If the speaker is reading from a prepared text, a copy should be provided for the recording secretary. The following guidelines should be observed when a speaker is addressing the Board or Committee:

1. When called upon, the speaker should come promptly to the podium (if available), speak clearly into the microphone (if available), and state name and address.
2. The speaker should identify the organization being represented, if any.
3. The speaker must limit remarks to three minutes.
4. The speaker may direct questions to the Chairman only.
5. Members of the audience must refrain from audible comments and/or applause during the meeting. Under no circumstance may any audience member interrupt a speaker or otherwise attempt to intimidate or discourage a speaker from addressing the Board or Committee through audible comments or noise making.
6. No speaker may indulge in personal attacks on any Board, committee or staff member. The Chairman will revoke the speaker's privilege to address the Board or Committee if this rule is violated.
7. Once a public hearing has been closed, no further audience participation is allowed or tolerated. Violating this rule may result in removing the violator from the meeting room.

Article VII: TPO Administrative Services, Executive Director, Agency Clerk and Staff

Section 1: Hosting Agency

With the exception of services provided by the hosting agency as specified in the approved hosting agreement, the North Florida TPO staff shall provide all administrative services for the organization.

Section 2: Executive Director

The North Florida TPO Board is responsible to select and evaluate an Executive Director who oversees the general administrative functions of the staff and other duties as specified in a contract between the Board and the Executive Director.

Section 3: Agency Clerk

The Executive Director shall be the Agency Clerk of the North Florida TPO. The address and telephone number of the Executive Director and Agency Clerk shall be the same as the address and telephone number of the organization's principal office. The duties and responsibilities of the agency clerk shall be consistent with Section 120.59(2), *Florida Statutes* and applicable Florida Rules of appellate procedure, and shall be to send notices, correspondence, rules and orders; to certify true copies and actions; and to attest signatures of North Florida TPO officers.

Specific Authority: Section 163.01, *Florida Statutes*, Section 163.01(5) (c), *Florida Statutes*, Section 163.01(7)(b), *Florida Statutes*, Section 120.53 (1), *Florida Statutes*.

Section 4: North Florida TPO Staff

The North Florida TPO Staff shall be comprised of various level planners, a public affairs manager, a fiscal administrator, and other specialists and support staff as needed. The Executive Director is responsible to hire and supervise staff, with the concurrence and oversight of the Executive Committee.

Article VIII: North Florida TPO Staff Planning Services

The services provided by the staff include preparing and reviewing all plans, programs, documents, codes and regulations that the North Florida TPO may direct under its legal authority; review and coordinate plans and elements, codes, regulations and amendments developed or proposed by local, state, regional and federal governmental agencies; and such other duties as are incidental to the above referenced responsibilities. In addition, the North Florida TPO may have other staff services provided through staff services contracts(s) between the North Florida TPO and governmental agencies and/or professional consultants as are necessary or incidental to the TPO.

Specific Authority: Section 163.01, *Florida Statutes*, Section 163.01(5) (c), *Florida Statutes*, Section 163.01(7) (b), *Florida Statutes*, Section 120.53(1), *Florida Statutes*.

Article VIV: General Information Concerning Agency

Effective March 1, 2004, the principal office of the North Florida TPO is 1022 Prudential Drive, Jacksonville, Florida 32207. North Florida TPO publications, forms and documents are available at the above referenced location from 8 a.m. to 5 p.m., Monday through Friday, except holidays. Copies are also available through the North Florida TPO web site at www.northfloridatpo.com.

Specific Authority: Section 163.01, *Florida Statutes*, Section 120.53(1), *Florida Statutes*.

Article X: Annual Operating Budget

The Executive Director is responsible to develop a draft operating (line item) budget for the upcoming fiscal year to submit to the Policy Board ten days prior to the March meeting for their review and approval at the April meeting.

Article X: Annual Assessment of Member Governments and Authorities

Effective March 2, 2004, the North Florida TPO will assess each member local government on an annual basis not to exceed \$1 per capita. The rate will be determined annually and be subject to approval of the Policy Board. The assessment may be paid annually or in two installments subject to North Florida TPO approval. Authorities will be assessed annually as well the amount of which shall be equivalent to five percent of the total assessment of the local governments.

Article XI: Statutory Chapters and Rules

The statutes and rules affecting the North Florida TPO operation includes 23 U.S.C. 134; 49 U.S.C. 1602 (a) (2), 1603 (a), 1604 (g) (1); 23 C.F.R. Section 450.100, et. Seq.; and Section 339.175, *Florida Statutes*.

Specific Authority: Section 339.175, *Florida Statutes*, Section 163.01, *Florida Statutes*, Section 120.53, *Florida Statutes*.

Article XII: Public Information and Inspection of Records

All North Florida TPO documents, publications or recorded actions shall be public records and available for inspection and copying at the North Florida TPO principal office. Copies of such records shall be available at a charge for the service and the cost of copying such records. Copies are also available on the North Florida TPO web site at www.northfloridatpo.com.

Specific Authority: Section 163.01, *Florida Statutes*, Section 120.53(1), *Florida Statutes*.

Article XIII: Public Access to the Agency

The public shall have access to all agency proceedings as outlined in the North Florida TPO's *Public Involvement Plan*. Early and meaningful public participation in the metropolitan planning process and decision-making is the intent of the North Florida TPO and the statute that governs it.

Public participation in meetings of the North Florida TPO and its Committees shall be as described in Article V: Section 16: Public Participation in North Florida TPO and its Committees.

Specific Authority: Section 163.01, *Florida Statutes*, Section 120.53(1), *Florida Statutes*.

Article XIV: Agency Authority and Responsibility

Section 1: Authority

The Agency's authority and responsibility is to manage a continuing, cooperative and comprehensive transportation planning process that results in developing plans and programs which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government, the boundaries of which are within the metropolitan area of the North Florida TPO. The North Florida TPO is the forum for cooperative decision making by officials of the affected governmental agencies in developing the plans and programs required by subsection (5), (6), (7) and (8) of Section 339.175, Florida Statutes.

Specific Authority: Section 339.175 (4), Florida Statutes.

Section 2: Powers, Duties and Responsibilities

The North Florida TPO, in cooperation with the State and with publicly owned operators of mass transportation services, airport and port related facilities, is responsible to develop transportation plans and programs for the Jacksonville and St. Augustine urbanized areas. These plans and programs must provide for integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area. The process to develop such plans and programs must provide for all transportation modes and be continuing, cooperative and comprehensive, to the degree appropriate, based on the complexity of the transportation problems to be addressed.

All plans and programs required by Section 339.175, *Florida Statutes*, must be endorsed by the North Florida TPO pursuant to federal, state and local laws, rules and regulations.

Section 3: Required Plans and Programs

The North Florida TPO shall, in cooperation with the Florida Department of Transportation, develop the following:

1. A long range transportation plan
2. An annually update transportation improvement program
3. An annual unified planning work program

The North Florida TPO shall also:

1. Prepare a congestion management system plan for the metropolitan area and cooperate with the Florida Department of Transportation to develop all other transportation management systems required by state or federal law;
2. Assist the Florida Department of Transportation in mapping transportation planning boundaries required by state or federal law;
3. Assist the Florida Department of Transportation in performing its duties relating to access management, functional classification of roads, and data collection;

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4. Execute all certification agreements necessary to comply with applicable state or federal law;
5. Represent all the jurisdictional areas within the metropolitan area to formulate transportation plans and programs required by this section; and
6. Perform all other duties required by state or federal law.

Statutory Authority: Section 339.175 (5) (a) and (d).